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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,   )
)
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                Plaintiff,   )   Case No. 2:10-cr-00430-PMP-GWF
)
9
vs.   )   **ORDER**
)
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LOMANDO MARK SCOTT,   )
)
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                Defendant.   )
_____)

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      This matter is before the Court on Defendant's Ex Parte Motion to Withdraw as Counsel of

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Record (ECF No. 182), filed on March 7, 2017. The Court conducted a hearing in this matter on

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March 23, 2017.

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      On November 19, 2015, the Court appointed Defendant's current counsel, Assistant Federal

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Public Defender Nisha Brooks-Whittington, Esq. for the purpose of determining whether he may

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qualify to seek reduction of sentence and to present any motions or applications for reduction of

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sentence in accordance with Amendment 782 and 18 U.S.C. § 3582(c)(2). *See* ECF No. 172. On

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June 29, 2016 and January 12, 2017, Defendant filed Motions to Vacate, Set Aside, or Correct

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Sentence under 28 U.S.C. § 2255. *See* ECF Nos. 173, 178. Counsel represents that the Federal

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Public Defender's Office has a current conflict of interest thereby necessitating the need for her

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withdrawal from Defendant's case.   The Court finds that counsel has provided good cause to

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justify granting her withdrawal. Accordingly,

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      IT IS HEREBY ORDERED that Defendant's Ex Parte Motion to Withdraw as Counsel of

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Record (ECF No. 182) is **granted**.

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      IT IS FURTHER ORDERED that the Court will set a hearing to appoint CJA counsel to

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represent Defendant limited to the matter of determining whether he may qualify to seek reduction

of sentence and to present any motions or applications for reduction of sentence in accordance with Amendment 782 and 18 U.S.C. § 3582(c)(2). The Court, however, is not appointing counsel to represent Defendant on his 28 U.S.C. § 2255 petitions. Defendant may, if he so chooses, file a motion requesting that counsel be appointed to represent him on those matters.

DATED this 23rd day of March, 2017.

_____
GEORGE FOLEY, JR.
United States Magistrate Judge